

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>PATRICK ADGER, ID # 2048709,</b>	)	
<b>Petitioner,</b>	)	
<b>vs.</b>	)	<b>No. 3:19-CV-1772-M (BH)</b>
	)	
<b>LORIE DAVIS, Director,</b>	)	
<b>Texas Department of Criminal</b>	)	
<b>Justice, Correctional Institutions Division,</b>	)	
<b>Respondent.</b>	)	<b>Referred to U.S. Magistrate Judge<sup>1</sup></b>

**ORDER**

Before the Court is the *Petition for A Writ of Habeas Corpus by a Person in State Custody*, received August 13, 2019 (doc. 6). On July 26, 2019, it was recommended that the petitioner's prior *Motion for Extension of Time In Pursant [sic], 2254(A) Hebaus [sic] Corpus Writ*, received July 25, 2019 (doc. 3), be dismissed for lack of subject matter jurisdiction, unless he either filed a motion to proceed *in forma pauperis* or pays the \$5 filing fee *and* submitted a habeas petition on the appropriate form within the fourteen-day period for objecting to the recommendation, or by some other deadline set by the Court. Because the petitioner has now filed a petition, and the July 26, 2019 findings, conclusions, and recommendation have not yet been accepted, they are hereby **VACATED**.

**SIGNED this 14th day of August, 2019.**

  
IRMA CARRILLO RAMIREZ  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> By *Special Order No. 3-251*, this habeas case was automatically referred for full case management, including determination of non-dispositive motion and issuance of findings of fact and recommendations on dispositive motions.